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7 Attorney for Plaintiff

8  
9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

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12 UNITED STATES OF AMERICA,	)	<b>2:19-mj-122-NJK</b>
	)	
13 Plaintiff,	)	
	)	
14 v.	)	
	)	
15 EDUARDO LIMON,	)	
	)	
16 Defendant.	)	
17	)	

18  
19 **STIPULATION TO CONTINUE PRELIMINARY HEARING**

20 IT IS HEREBY STIPULATED AND AGREED, by and between Nicholas A. Trutanich,  
21 United States Attorney, and Phillip N. Smith, Jr., Assistant United States Attorney, counsel for  
22 the United States of America; and Chris T. Rasmussen, Esq., counsel for the Defendant, that the  
23 preliminary hearing for the above-captioned matter, currently scheduled for April 30, 2019, at the  
24 hour of 4:00 p.m., be vacated and continued to a date and time convenient for this Court, but in  
25 no event earlier than thirty (30) days.  
26

27 This stipulation is entered for the following reasons:  
28

1           1.       The Government has made an early production of discovery to the Defendant in  
2 an effort to reach a pre-indictment plea agreement, and a pre-indictment plea agreement has been  
3 extended to the Defendant. Counsel for the Defendant has indicated that the Defendant is  
4 accepting the plea agreement.

5           2.       Said plea agreement would obviate the need for either a preliminary hearing in this  
6 matter or for the Government to present this matter to a federal grand jury.

7           3.       Denial of this request for continuance of the preliminary hearing would potentially  
8 prejudice both the Defendant and the Government and unnecessarily consume this Court's  
9 valuable resources.

10          4.       Additionally, denial of this request for continuance could result in a miscarriage of  
11 justice.

12          5.       The additional time requested by this stipulation is excludable in computing the  
13 time within which the Defendant must be indicted and the trial herein must commence pursuant  
14 to the Speedy Trial Act, 18 U.S.C. §§ 3161(b) and 3161(h)(7)(A), considering the factors under  
15 18 U.S.C. §§ 3161(h)(7)(B)(i) and (iv).

16          6.       This is the third request for a continuance of the preliminary hearing herein.

17          DATED: April 29, 2019.

18  
19                   /s/  
20 \_\_\_\_\_  
21 PHILLIP N. SMITH, JR.  
22 Assistant United States Attorney  
Counsel for the United States

                                 /s/  
\_\_\_\_\_  
CHRIS T. RASMUSSEN, ESQ.  
Counsel for Defendant

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3 UNITED STATES DISTRICT COURT  
4 DISTRICT OF NEVADA

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6 UNITED STATES OF AMERICA, )

7 Plaintiff, )

8 v. )

9 EDUARDO LIMON, )

10 Defendant. )  
11

2:19-mj-122-NJK

**ORDER CONTINUING  
PRELIMINARY HEARING**

12 **ORDER**

13 Based on the pending Stipulation of counsel, and good cause appearing therefore, **IT IS**  
14 **HEREBY ORDERED**, that the preliminary hearing in the above-captioned matter as to the  
15 Defendant, currently scheduled for April 30, 2019, at the hour of 4:00 p.m., be vacated and  
16 continued to June 3, 2019, at 4:00 p.m., in Courtroom 3A.  
17

18 DATED: April 29, 2019

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20 \_\_\_\_\_  
UNITED STATES MAGISTRATE JUDGE  
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